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**AZ MEDICAL BOARD****BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

Case No. MD-04-0097A

**DAVID D. DULANEY, M.D.****CONSENT AGREEMENT FOR  
SURRENDER OF ACTIVE LICENSE**Holder of License No. 7924  
For the Practice of Allopathic Medicine  
In the State of Arizona.**CONSENT AGREEMENT**

By mutual agreement and understanding between the Arizona Medical Board ("Board") and David D. Dulaney, M.D. ("Physician") the parties agree to the following disposition of this matter.

1. Physician has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Physician acknowledges that he has the right to consult with legal counsel regarding this matter.

2. By entering into this Consent Agreement, Physician voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. All admissions made by Physician are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Physician. Therefore, said admissions by Physician are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.


5. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Physician may not revoke the acceptance of the Consent Agreement.

1 Physician may not make any modifications to the document. Any modifications to this original  
2 document are ineffective and void unless mutually approved by the parties.

3 6. This Consent Agreement, once approved and signed, is a public record that will be  
4 publicly disseminated as a formal non-disciplinary action of the Board and will be reported to the  
5 National Practitioner Data Bank and to the Arizona Medical Board's website.

6 7. If any part of the Consent Agreement is later declared void or otherwise  
7 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force and  
8 effect.

9 8. If the Board does not adopt this Consent Agreement, Physician will not assert as a  
10 defense that the Board's consideration of the Consent Agreement constitutes bias, prejudice,  
11 prejudgment or other similar defense.

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14   
15 DAVID D. DULANEY, M.D.

Dated: 1-12-07

### FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Physician is the holder of license No. 7924 for the practice of allopathic medicine in the State of Arizona.

3. Physician is unable to safely engage in the practice of medicine due to a medical condition and has requested the Board accept the surrender his license.

### CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The Board possesses statutory authority to enter into a consent agreement with a physician and accept the surrender of an active license from a physician who admits to being unable to safely engage in the practice of medicine. A.R.S. § 32-1451(T)(1).

### ORDER

IT IS HEREBY ORDERED THAT License Number 7924, issued to David D. Dulaney, M.D. for the practice of allopathic medicine in the State of Arizona, is surrendered.

DATED AND EFFECTIVE this 9<sup>th</sup> day of January 2007

ARIZONA MEDICAL BOARD

(SEAL)



By   
TIMOTHY C. MILLER, J.D.  
Executive Director

1 ORIGINAL of the foregoing filed this  
2 9<sup>th</sup> day of January 2007 with:

3 The Arizona Medical Board  
4 9545 East Doubletree Ranch Road  
5 Scottsdale, AZ 85258

6 EXECUTED COPY of the foregoing mailed this  
7 9<sup>th</sup> day of January 2007 to:

8 Stephen Myers, Esq.  
9 Myers & Jenkins  
10 Phoenix Corporate Center  
11 3003 N Central Ave Ste 1900  
12 Phoenix AZ 85012-29100001

13 David D. Dulaney, M.D.  
14 Address of Record

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